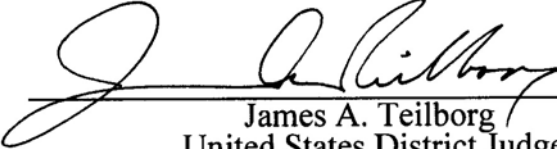


- 1 • Petitioner's Amended Petition for Writ of Habeas Corpus (Doc. #5) is denied
2 and dismissed with prejudice,
3 • in the event Petitioner files an appeal, issuance of a certificate of appealability
4 is denied because denial of the petition is based on a plain procedural bar and
5 jurists of reason would not find this Court's procedural ruling debatable. *See*
6 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), and
7 • the Clerk of the Court shall enter judgment of dismissal with prejudice.

8 DATED this 9th day of June, 2010.

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12 James A. Teilborg
13 United States District Judge
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